

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- ☐ Major Subdivision action
☐ Minor Subdivision action
☐ Vacation
☐ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- ☐ for Subdivision
☐ for Building Permit
☐ Administrative Amendment (AA)
☐ IP Master Development Plan
☐ Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- ☐ Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- ☐ Annexation
☐ County Submittal
☐ EPC Submittal
☒ Zone Map Amendment (Establish or Change Zoning)
☐ Sector Plan (Phase I, II, III)
☐ Amendment to Sector, Area, Facility or Comprehensive Plan
☐ Text Amendment (Zoning Code/Sub Regs)
☐ Street Name Change (Local & Collector)
☐ APPEAL / PROTEST of...
☐ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): ARCH + PLAN LANDUSE CONSL. PHONE: 980.8365
 ADDRESS: P.O. BOX 25911 FAX: 505.3501
 CITY: ALBUQUERQUE STATE NM ZIP 87125 E-MAIL: arch.plan@comcast.net

APPLICANT: MARIO SANCHEZ PHONE: 263.3198
 ADDRESS: 1401 GRIEGOS NW FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87107 E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: ZONE MAP AMENDMENT FROM RA-2 TO R-1

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ☐ Yes ☐ No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No: 41-A Block: 2 Unit: _____
 Subdiv/Addn/TBKA: GAVILAN ADDN
 Existing Zoning: RA-2 Proposed zoning: R-1 MRGCD Map No: _____
 Zone Atlas page(s): F-14 UPC Code: 101406146747610927

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): SP 92-50

CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 2 Total area of site (acres): .391

LOCATION OF PROPERTY BY STREETS: On or Near: GAVILAN PL NW
 Between: PAULINE RD NW and 4TH ST NW

Check-off if project was previously reviewed by Sketch Plat/Plan ☐ or Pre-application Review Team ☒ Date of review: 2/16/10

SIGNATURE Derrick Archuleta DATE 3.25.10
 (Print) DERRICK ARCHULETA Applicant ☐ Agent ☒

FOR OFFICIAL USE ONLY

- ☐ INTERNAL ROUTING
☒ All checklists are complete
☒ All fees have been collected
☒ All case #s are assigned
☒ AGIS copy has been sent
☒ Case history #s are listed
☒ Site is within 1000ft of a landfill
☐ F.H.D.P. density bonus
☐ F.H.D.P. fee rebate

Application case numbers

10EPC-40014

Action

ZMA
ADU

Form revised 4/07

S.F. Fees
2 \$ 240.00
 \$ 75.00
 \$ 50.00
 \$ _____

Hearing date 03/13/10

Total \$ 365.00

Sandy Handley 03/25/10
Planner signature / date

Project # 1008254

FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS

☐ ANNEXATION (EPC08)

- ☐ Application for zone map amendment including those submittal requirements. See below. Annexation and establishment of zoning must be applied for simultaneously.
 - ☐ Petition for Annexation Form and necessary attachments
 - ☐ Zone Atlas map with the entire property(ies) clearly outlined
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
 - ☐ Letter briefly describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
 - ☐ Letter of authorization from the property owner if application is submitted by an agent
 - ☐ BCC Notice of Decision for City Submittals
 - ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ☐ Sign Posting Agreement
 - ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - ☐ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

- ☐ SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1) (Unadvertised)
- ☐ SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14) (Public Hearing)
- ☐ SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2) (Unadvertised)

- ☐ Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
- ☐ Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
- ☐ Zone Atlas map with the entire plan area clearly outlined
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (for EPC public hearing only)
- ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form (for EPC public hearing only)
- ☐ Fee for EPC final approval only (see schedule)
- ☐ List any original and/or related file numbers on the cover application

Refer to the schedules for the dates, times and places of DRB and EPC hearings.

Your attendance is required.

☒ AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)

- ☒ Zone Atlas map with the entire property clearly outlined
 - ☒ Letter briefly describing, explaining, and justifying the request per "Resolution 270-1980".
 - ☒ Letter of authorization from the property owner if application is submitted by an agent
 - ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - ☒ Sign Posting Agreement
 - ☒ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
 - ☐ Fee (see schedule)
 - ☐ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

☐ AMENDMENT TO SECTOR DEVELOPMENT MAP (EPC03)

☐ AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)

- ☐ Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
- ☐ Plan to be amended with materials to be changed noted and marked
- ☐ Zone Atlas map with the entire plan/amendment area clearly outlined
- ☐ Letter briefly describing, explaining, and justifying the request per "Resolution 270-1980" (Sector Plan map change only)
- ☐ Letter of authorization from the property owner if application is submitted by an agent (Map change only)
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts (sector plans only)
- ☐ TIS/AQIA Traffic Impact Study / Air Quality Impact Assessment form
- ☐ Sign Posting Agreement
- ☐ Fee (see schedule)
- ☐ List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)

- ☐ Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
- ☐ Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Fee (see schedule)
- ☐ List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline.

Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

DERRICK ARCHULETA (AGENT)

Applicant name (print)

Derrick Archuleta

Applicant signature / date

Form revised APRIL 07



- ☐ Checklists complete
- ☐ Fees collected
- ☐ Case #s assigned
- ☐ Related #s listed

Application case numbers

10EPC-10014

Project #

Sandy Handley 03/25/10
Planner signature / date
1008254

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) / AIR QUALITY IMPACT ASSESSMENT (AQIA) FORM

APPLICANT: ARCH + PLAN LAND USE DATE OF REQUEST: 3/15/10 ZONE ATLAS PAGE(S): F-14

CURRENT:

ZONING RA-2

PARCEL SIZE (AC/SQ. FT.) .34±

LEGAL DESCRIPTION:

LOT OR TRACT # 41A BLOCK # 2

SUBDIVISION NAME GAVILAN ADDN

REQUESTED CITY ACTION(S):

ANNEXATION ☐

SECTOR PLAN ☐

SITE DEVELOPMENT PLAN:

COMP. PLAN ☐

ZONE CHANGE ☒

A) SUBDIVISION ☐

BUILDING PERMIT ☐

AMENDMENT ☐

CONDITIONAL USE ☐

B) BUILD'G PURPOSES ☐

ACCESS PERMIT ☐

C) AMENDMENT ☐

OTHER ☐

→ R-1

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT ☐

OF UNITS: 1

NEW CONSTRUCTION ☒

BUILDING SIZE: 1,800 (sq. ft.)

EXPANSION OF EXISTING DEVELOPMENT ☐

GENERAL DESCRIPTION OF ACTION: ¹

NOTES: 1. Changes made to development proposals / assumptions, from the information provided above, may change the TIS or AQIA analysis requirements.

APPLICANT OR REPRESENTATIVE

Devon Archuleta

DATE 3.15.10

(TO BE SIGNED UPON COMPLETION OF PROCESSING BY TRAFFIC ENGINEER AND ENVIRONMENTAL HEALTH)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES ☐ NO ☒ BORDERLINE ☐

THRESHOLDS MET? YES ☐ NO ☒

MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: ☐

Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. **Any subsequent changes to the development proposal identified above may require an update or new TIS.**

TRAFFIC ENGINEER

DATE

Air Quality Impact Analysis (AQIA) May Be Required:

Section 14-16-3-14 of the COA Comprehensive Zoning Code contains threshold requirements for air quality studies. Criteria and thresholds contained in the Zoning Code specify which land use or plan actions will require preparation of an AQIA. Please refer to this section in order to determine if your proposal merits study for air quality impacts. An AQIA is not required, if a TIS is not required by the City or an associated TIS shows all signalized intersections functioning at Level of Service (LOS) C or better. An AQIA will only be required for a Sector Development Plan or Sector Development Plan Amendment if it meets AQIA thresholds in the Zoning Code.

AIR QUALITY IMPACT ANALYSIS (AQIA) REQUIRED: YES ☐ NO ☐

Contact an Air Quality Planner at 768-2660 to insure that input is received from the Air Quality Division during the scoping of the companion TIS. **Any subsequent changes to the development proposal identified above may require an update or new AQIA.**

APPLICANT

DATE

Required TIS and/or AQIA **must be completed prior to applying to the EPC.** Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS

-SUBMITTED

-FINALIZED

TRAFFIC ENGINEER

DATE

March 1, 2010

City of Albuquerque Planning Department
600 Second Street NW
Albuquerque NM 87102

To Whom It May Concern:

I am authorizing ARCH+PLAN Land Use Consultants LLC to represent me with all matters pertaining to a Zone Map amendment request and process. The location of the property is at 5936 Pauline Road NW (Lot 41A, Gavilan Addition) in Albuquerque, New Mexico.

The authorization will include, but not limited to:

- Preparation of materials for Environmental Planning Commission public hearing
- Project management
- Project representation at meetings

If you have any questions, please contact me.

Maria A. Sautz
3-9-10

ARCH+PLAN LAND USE CONSULTANTS, LLC

6565 AMERICAS PARKWAY NE, SUITE 200 ALBUQUERQUE NM 87110

P. 505.980.8365 F. 505.563.5501

E. ARCH.PLAN@COMCAST.NET W. WWW.ARCHPLAN.ORG

March 25, 2010

Mr. Doug Peterson, Chair
Environmental Planning Commission
City of Albuquerque Planning Department – Development Review Division
600 Second Street NW
Albuquerque NM 87102

Dear Chair Peterson and members of the Environmental Planning Commission:

ARCH+PLAN Land Use Consultants LLC, agent for Mario Sánchez respectfully request approval of a zone map amendment for Tract 41A, Block 2 of the Gavilan Addition. The address is 5936 Pauline Road NW in between 4th Street and Pauline Road, and south of Gavilan Place. The applicant would like to rezone the property from RA-2 (Residential Agricultural) to R-1 (Residential) in an effort to subdivide the property into two lots. The total acreage is 0.391± acres.

The application is not introducing a new use to the property. The rezone will allow for a smaller lot size permissive under the R-1 requested zone. The intent is to have one lot with access from Gavilan Place and the other lot from Pauline Road. The R-1 zone will provide a transition from the existing C-2 zone to the east which now also falls within the North Fourth Mixed Use Development District.

The property currently contains an existing single family dwelling which is currently being rehabilitated by the applicant. The proposed lot with the existing single family residence will be accessed off of Pauline Road. The second proposed lot will be accessed off of Gavilan Place. The location of the lot fronting both Pauline Road and Gavilan Place make the request achievable with zone map amendment approval.

The Comprehensive Plan and North Valley Area Plan seek and recognize the need to address community needs while respecting existing scale and character. This location is ideal for what is being requested since it will not introduce anything new to the property and will serve as a transition. The project retains the existing character and identity which is appropriate for this portion of the Established Urban Area. Housing is an important component of both plans and this is an opportunity to support those policies.

The applicant's request is not in considerable conflict with the Comprehensive Plan and policies pertaining to the Established Urban Area which governs development in this portion of the City. The request also meets the provisions stipulated in Resolution 270-1980. The property is also adjacent directly west of the North Fourth Street Corridor Plan, which will also have an effect on this property.

We appreciate your consideration of this request.

Sincerely,

A handwritten signature in black ink, reading "Derrick Archuleta", followed by a horizontal line extending to the right.

Derrick Archuleta, MCRP

Resolution 270-1980

- A. A proposed zone change must be found to be consistent with the health, safety, morals and general welfare of the City.**

The proposed zoning does not allow uses that conflict with the health, safety, morals and general welfare of the City. The development will continue to be compatible with the surrounding land uses in terms of use and character. The location of this lot at this specific location make the rezone achievable without creating any adverse effects on the immediate neighborhood or the City more generally.

- B. Stability in land use and zoning is desirable; therefore the applicant must provide a sound justification for change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.**

This application is not requesting to change the "residential" use on the property. Its purpose is to provide a transition from the adjacent C-2 zoned property. This parcel has access to two streets which minimize impacts or be detrimental to the values of surrounding property. The shape of the lot will allow for the ability to meet lot standard requirements of the requested R-1 zone. The proposed rezone will allow for not only stability in land use but also in zoning. The property has been impacted by the adjacent commercial zone and was neglected for a number of years becoming a concern for the neighborhood. The rehabilitation of the existing house and eventual construction of a new house pending rezone approval would support stability in both land use and zoning.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.**

The following Comprehensive Plan policies apply to this request:

Policy II.B.5d: "The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions, carrying capacities, scenic resources and resources of other social, cultural, recreational concern."

- The request has been introduced to adjacent property owners. The nature of the application has not been a cause of concern since the intent is not to introduce a new zone and use unfamiliar to this area.*

This policy applies to the request in that communication has been established and input will continue to be sought as this request proceeds ensuring that the location, intensity and design of new development will continue to respect existing neighborhood values.

Policy II.B.5e: "New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where integrity of existing neighborhoods can be ensured."

- Although the property is not vacant, the site is a perfect opportunity for infill development. The property meets the needs of the applicant in terms of size.*

The only area it lacks is in the design of the proposed single family residence on the proposed lot. Pending zone change approval, the use will be determined and established which will serve the needs of the applicant.

This policy applies to the request in that it encourages infill in appropriate areas than can be accommodated, is contiguous or existing urban facilities and services and where the integrity of the existing neighborhood can be assured. The property fulfills the policy in that it falls within an area of existing urban services, it will continue to ensure the integrity of the existing neighborhood by not introducing a new use category and the location will accommodate the applicants' needs while achieving infill on an available property.

Policyll.B.5h: "Higher density housing is most appropriate in the following situations:

- In areas with excellent access to the major street network.*
- In areas where a mixed density pattern is already established by zoning or use; where it is compatible with existing area land uses and where adequate infrastructure is or will be available.*
- In areas where a transition is needed between single-family homes and much more intensive development."*
 - The property lies directly west of 4th Street approximately 200 feet. The area itself is a mix of zoning that function and coexist effectively based on their specific location based on use and access to infrastructure. The parcel is an opportunity to provide the transition from commercial to residential at a more appropriate method.*

This policy applies to the request based on its specific location. The site is impacted by 4th Street and the adjacent commercial uses located on those properties. The ability to support and achieve lot standards of the proposed R-1 zone would be appropriate at this location. There will also be impacts of the North Fourth Mixed Use Development District as they relate to density, intensity, height and building placement, which oversee the property directly adjacent to the east.

Policyll.B.5k: "Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation."

- The property lies approximately 200 feet west of 4th Street and is adjacent to C-2 zoned property at its eastern boundary. Its location and shape of the lot may have impacted its ability to support the underlying zone. The property has frontage to two streets in addition to the commercial zone.*

This policy applies to the request because of its proximity to commercial zone and more specifically the North Fourth Street Corridor Plan. The area falls within the North Fourth Mixed Use Development District (NFMXD). Permitted uses within this district vary from high density housing, live/work and commercial uses. The fact remains that prior commercial uses had an impact on this property.

Policy II.B.5l: "Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate in the Plan area"

- *The location of the property encourages and supports the ability to achieve R-1 zoning minimum requirements. The shape of the lot and access to two streets makes achieving standards a possibility.*

This policy applies to the request in that the applicant intends to incorporate several designs and amenities which are encouraged in the Established Urban Area. The existing site is adequate in size and shape to accommodate the use and will be able to support an additional single-family dwelling unit with zone change approval

Policy II.B.5o: "Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened."

- *The property falls within the Gavilan Addition which was recorded in 1945. At that time, most properties were irrigated by the Harwood Lateral reflecting the current residential agricultural zone.*

This policy applies to the request in that the applicant is rehabilitating the existing single family residence which had been neglected for a number of years. The intent is to continue to strengthen the neighborhood through rehabilitation of the existing house and redeveloping the area with a new house on the proposed lot maintaining the residential component of the land use.

Policy II.B.5p: "Cost-effective redevelopment techniques shall be developed and utilized."

- *The policy calls for support of redevelopment project which will stimulate additional private investment.*

This policy applies to the request in that the applicant is redeveloping a property which had been neglected and is seeking the ability through rezone approval to continue to reinvest with an additional single family residence supported by R-1 zoning.

Policy II.C.1b: "Automobiles travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services."

- *The request further supports this policy by the location of the property and its proximity to transportation alternatives, employment opportunities along the north 4th Street corridor.*
- *This policy applies to the request by encouraging infill development which integrates and provides access to commercial uses for a better employment-housing balance.*

Policy II.D.5a: "The supply of affordable housing, shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured."

- *Existing housing in the North Valley is diverse in type, quality, size and price. The rezone application will allow for the construction of another single family residence in this portion of the North Valley on a smaller lot without compromising the character of the immediate area.*

This policy applies to the request through the provision of a housing opportunity through the redevelopment of the existing house and with the addition of an additional single family dwelling on a site that is adequate to support the rezone and the development standards of R-1.

The following North Valley Area Plan policies apply to this request:

GOALS:

Goal 1: "To recognize the North Valley area as a unique and fragile resource and as an inestimable an inestimable and irreplaceable part of the entire metropolitan community"

- *The site is adequate in size and shape to accommodate the proposed zone and density. The rezone will continue to maintain a residential component to the property with clearly defined parameters established by the R-1 zone.*

Goal 2c: "To preserve and enhance the environmental quality of the North Valley Area by providing a variety of housing types and life styles including differing socioeconomic types"

- *The proposed application reflects this Goal by assuring a residential use on this property and the intent to provide an additional house on a proposed lot with zone change approval on a smaller lot appropriate for this specific location.*

POLICIES:

Zoning and Land Use (Policy 2): "The City and County shall stabilize residential zoning and land use in the North Valley area"

- *This particular application will further support this policy through rezone approval by stabilizing what has existed on the property for many years. The residential land use will not change on the property. Both existing land use and density contribute to support stabilization through R-1 development standards.*

Housing (Policy 1): "The City and County shall stabilize land use to protect affordable housing and land presently zoned for housing"

- *The request will retain the residential use on the property. The application is seeking an opportunity to reinvest and provide an infill development on a site which is supported by fronting two street and adjacent to a commercial zoned property and corridor plan.*

D. The applicant must demonstrate that the existing zoning is inappropriate because;

- (1) there was an error when the existing zone map pattern was created, or**
- (2) changed neighborhood or community conditions justify the change, or**
- (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply.**

The existing zoning is inappropriate because a different use category is more advantageous to the community, as previously articulated through Goals and Policies in the Comprehensive Plan specific to the Established Urban Area.

The proposed zone change is not in conflict with existing City plans and policies, most specifically the Established Urban Area of which this property is subject to. The proposed zone of R-1 has the opportunity to further stabilize the residential uses associated with the property.

The Goal of the Established Urban Area is to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas, and lifestyles, which creating a visually pleasing built environment.” The request will further this Goal by maintaining the land use already familiar to this area making it identifiable to surrounding properties. The proposed use will continue to integrate into the community.

The request ultimately furthers this Goal by maintaining and continuing a quality urban environment and adding to the diversity of uses and zoning to an area where a neighborhood integrates well with existing residential and potential commercial uses through the appropriate buffers and transitions as this application proposes which is more advantageous to the community.

Changed community conditions as they apply to the recently adopted North Fourth Street Corridor Plan will also have an impact on the subject property. New permitted building forms, frontage types as they relate to density, intensity, height and placement of buildings will have to be dealt with as an adjacent property to the 4th Street corridor.

E. A change in zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or community.

The rezone will not be harmful to adjacent property, the neighborhood or community. The rehabilitation of the existing building and redevelopment of a proposed lot will have no adverse effect on the neighborhood, seriously conflict with the character of the area or be detrimental to property values of surrounding property.

- F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the City may be;**

(1) denied due to lack of capital funds, or

(2) granted with the implicit understanding that the City is not bound to provide capital improvements on any special schedule.

The proposed rezone to R-1 will not require additional capital expenditures by the City. The property is already served by the City, any expansions of services are not anticipated. Although unlikely, any additional infrastructure or impacts will be coordinated with those agencies as part of development review.

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.**

The proposed rezone to R-1 is consistent with policies pertaining to the Established Urban Area of the Comprehensive Plan, North Valley Area Plan, land use compatibility and good planning practices, without regard to economic considerations.

- H. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.**

The subject site is not located on a collector or major street designated by the Comprehensive Plan. However the site is adjacent to properties that are accessed by 4th Street and will be impacted by the North Fourth Street Corridor Plan.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone". Such a change of zone may be approved only when;**

(1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone.

The request for R-1 will clearly facilitate the realization of Comprehensive Plan and North Valley Area Plan policies as previously outlined. The rezone application will not eliminate the residential component to the property. The Comprehensive Plan through policies of the Established Urban Area encourage new development that respect existing neighborhood values, contiguous to existing urban facilities, appropriate locations for higher density housing, impacts on properties adjacent to arterial streets and issues related to redevelopment, rehabilitation and infill. The North Valley Area Plan also supports the application through Goals and Policies

pertaining to Zoning and Land Use and Housing. The application reflects and realizes the intent of both plans as they apply to the subject property.

The location, shape of lot and ability to achieve development standards of the requested zone support the rezone as well. The R-1 will serve as a transition from the adjacent commercial zone adjacent to the east. The transition will prove to be important through the recent adoption of the North Fourth Street Corridor Plan. The plan introduces new potential uses to the property adjacent to the east as part of its adoption. The North Fourth Mixed Use Development District applies to this portion of the corridor. The rezone will allow the site to serve as a transition to adjacent properties without losing its residential use but allowing for the opportunity to provide infill development. The shape of the lot and its ability to have access to two streets will also facilitate the ability to achieve development standards of the R-1 zone requested.

Thus, the request for R-1 zone at this location is supported through policy and the ability of the property to serve as a transition based on conditions that ensure orderly development of the site, as well as the protection of the public health, safety and general welfare of the City.

- J. A zone change request which would give a zone different from surrounding zoning to strip of land along a street is generally called “strip zoning”. Strip commercial zoning will be approved only where;**

(1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan, and

(2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The zone map amendment is not for a strip of land along a street. It is for one parcel that is accessed by two streets to its north and west. To its east is land zoned commercial. Thus the definition of strip zoning would not apply to this request.



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

March 11, 2010

Derrick Archuleta

Arch + Plan Land Use Consultants

P.O. Box 25911/87125

Phone: 505-980-8365/Fax: 505-563-5501

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Dear Derrick:

Thank you for your inquiry of March 11, 2010 requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(EPC SUBMITTAL) - LOT 41-A, BLOCK 2, GAVILAN ADDITION, LOCATED ON 5936 PAULINE STREET NW, BETWEEN SOUTHEAST CORNER OF PAULINE STREET NW AND GAVILAN PLACE NW** zone map **F-14**.

Our records indicate that the **Neighborhood and/or Homeowner Associations** affected by this proposal and the contact names are as follows:

NORTH FOURTH CAMINO REAL MERCHANTS ASSOC. INC. "R"

Scot Steinberg, 3906 4th St. NW/87107 344-1777 (w)

Ted Brown, P.O. Box 26508/87125 345-9051 (h)

NORTH VALLEY COALITION

Chris Catechis, 5733 Guadalupe Tr. NW/87107 271-9876 (h)

Claude Morelli, P.O. Box 70352/87197 710-9455 (h)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck

Neighborhood Liaison

OFFICE OF NEIGHBORHOOD COORDINATION

Planning Department

**LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD AND/OR
HOMEOWNER ASSOCIATION.**

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describes the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
 - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ☒ **ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- ☐ The **ONC "Official" Letter (if there are no associations)**. A copy must be submitted with application packet.
- ☒ **Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- ☒ **Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **03/11/10** Time Entered: **9:25 a.m.** ONC Rep. Initials: **siw**

ARCH+PLAN LAND USE CONSULTANTS, LLC

6565 AMERICAS PARKWAY NE, SUITE 200 ALBUQUERQUE NM 87110

P. 505.980.8365 F. 505.563.5501

E. ARCH.PLAN@COMCAST.NET W. WWW.ARCHPLAN.ORG

March 25, 2010

Mr. Scot Steinberg
North Fourth Camino Real Merchants Assoc Inc.
3906 4th Street NW
Albuquerque NM 87107

Dear Mr. Steinberg

This letter is to inform yourself and the North Fourth Camino Real Merchants Association that a rezone application has been submitted for 5936 Pauline Road NW. The legal description of the property is Tract 41A, Block 2 of the Gavilan Addition in between 4th Street and Pauline Road, just south of Gavilan Place. The applicant would like to rezone the property from RA-2 (Residential Agricultural) to R-1 (Residential) in an effort to subdivide the property into two lots. The total acreage is 0.391± acres.

The application is not introducing a new use to the property. The rezone will allow for a smaller lot size permissive under the R-1 requested zone. The intent is to have one lot with access from Gavilan Place and the other lot from Pauline Road. The R-1 zone will provide a transition from the existing C-2 zone to the east which now also falls within the North Fourth Mixed Use Development District.

The property currently contains an existing single family dwelling which is currently being rehabilitated by the applicant. The proposed lot with the existing single family residence will be accessed off of Pauline Road. The second proposed lot will be accessed off of Gavilan Place. The location of the lot fronting both Pauline Road and Gavilan Place make the request achievable with zone map amendment approval.

The applicant's request is not in considerable conflict with the Comprehensive Plan and policies pertaining to the Established Urban Area and the North Valley Area Plan which governs development in this portion of the City. The property is also adjacent directly west of the North Fourth Street Corridor Plan, which will also have an effect on this property.

We appreciate the opportunity to introduce the project to you and the association. If you or anyone has any questions or clarifications regarding the application feel free to contact us.

Sincerely,



Derrick Archuleta, MCRP

ARCH+PLAN LAND USE CONSULTANTS, LLC

6565 AMERICAS PARKWAY NE, SUITE 200 ALBUQUERQUE NM 87110

P. 505.980.8365 F. 505.563.5501

E. ARCH.PLAN@COMCAST.NET W. WWW.ARCHPLAN.ORG

March 25, 2010

Mr. Chris Catechis
North Valley Coalition
5733 Guadalupe Trl NW
Albuquerque NM 87107

Dear Mr. Catechis

This letter is to inform yourself and the North Fourth Camino Real Merchants Association that a rezone application has been submitted for 5936 Pauline Road NW. The legal description of the property is Tract 41A, Block 2 of the Gavilan Addition in between 4th Street and Pauline Road, just south of Gavilan Place. The applicant would like to rezone the property from RA-2 (Residential Agricultural) to R-1 (Residential) in an effort to subdivide the property into two lots. The total acreage is 0.391± acres.

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Sincerely,



Derrick Archuleta, MCRP

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6565 AMERICAS PARKWAY NE, SUITE 200 ALBUQUERQUE NM 87110

P. 505.980.8365 F. 505.563.5501

E. ARCH.PLAN@COMCAST.NET W. WWW.ARCHPLAN.ORG

March 25, 2010

Mr. Claude Morelli
North Valley Coalition
P.O. Box 70352
Albuquerque NM 87197

Dear Mr. Morelli

This letter is to inform yourself and the North Fourth Camino Real Merchants Association that a rezone application has been submitted for 5936 Pauline Road NW. The legal description of the property is Tract 41A, Block 2 of the Gavilan Addition in between 4th Street and Pauline Road, just south of Gavilan Place. The applicant would like to rezone the property from RA-2 (Residential Agricultural) to R-1 (Residential) in an effort to subdivide the property into two lots. The total acreage is 0.391± acres.

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Sincerely,



Derrick Archuleta, MCRP

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P. 505.980.8365 F. 505.563.5501
E. ARCH.PLAN@COMCAST.NET W. WWW.ARCHPLAN.ORG

March 25, 2010

Mr. Ted Brown
North Fourth Camino Real Merchants Assoc Inc.
P.O. Box 26508
Albuquerque NM 87125

Dear Mr. Brown

This letter is to inform yourself and the North Fourth Camino Real Merchants Association that a rezone application has been submitted for 5936 Pauline Road NW. The legal description of the property is Tract 41A, Block 2 of the Gavilan Addition in between 4th Street and Pauline Road, just south of Gavilan Place. The applicant would like to rezone the property from RA-2 (Residential Agricultural) to R-1 (Residential) in an effort to subdivide the property into two lots. The total acreage is 0.391± acres.

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Sincerely,



Derrick Archuleta, MCRP

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Return Receipt Fee (Endorsement Required)		\$2.30
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.54

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TED BROWN
Street, Apt. No.,
or PO Box No. P.O. Box 26508
City, State, ZIP+4 ALBUQUERQUE NM 87125
PS Form 3800, August 2006 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.54

Sent to
CHRIS CATECHIS
Street, Apt. No.,
or PO Box No. 5733 GUNDAUPE TR NW
City, State, ZIP+4 ALBUQUERQUE NM 87107
PS Form 3800, August 2006 See Reverse for Instructions

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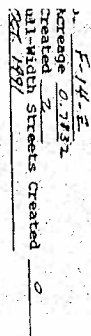
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Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.54

Sent to
SCOT STEINBERG
Street, Apt. No.,
or PO Box No. 3906 4th ST NW
City, State, ZIP+4 ALBUQUERQUE NM 87107
PS Form 3800, August 2006 See Reverse for Instructions

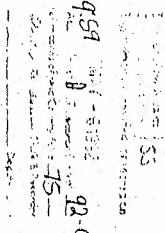
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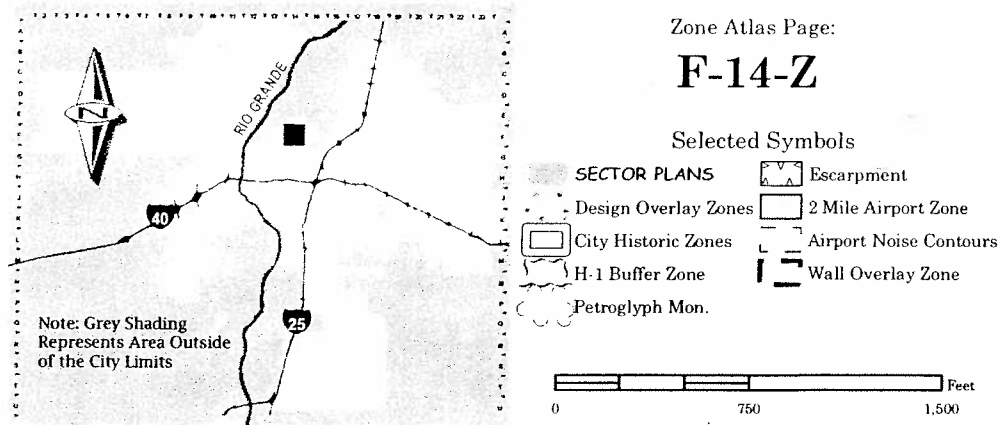
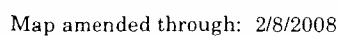
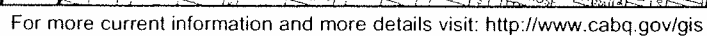
Sent to
CLAUDE MORELLI
Street, Apt. No.,
or PO Box No. P.O. Box 70352
City, State, ZIP+4 ALBUQUERQUE NM 87197
PS Form 3800, August 2006 See Reverse for Instructions

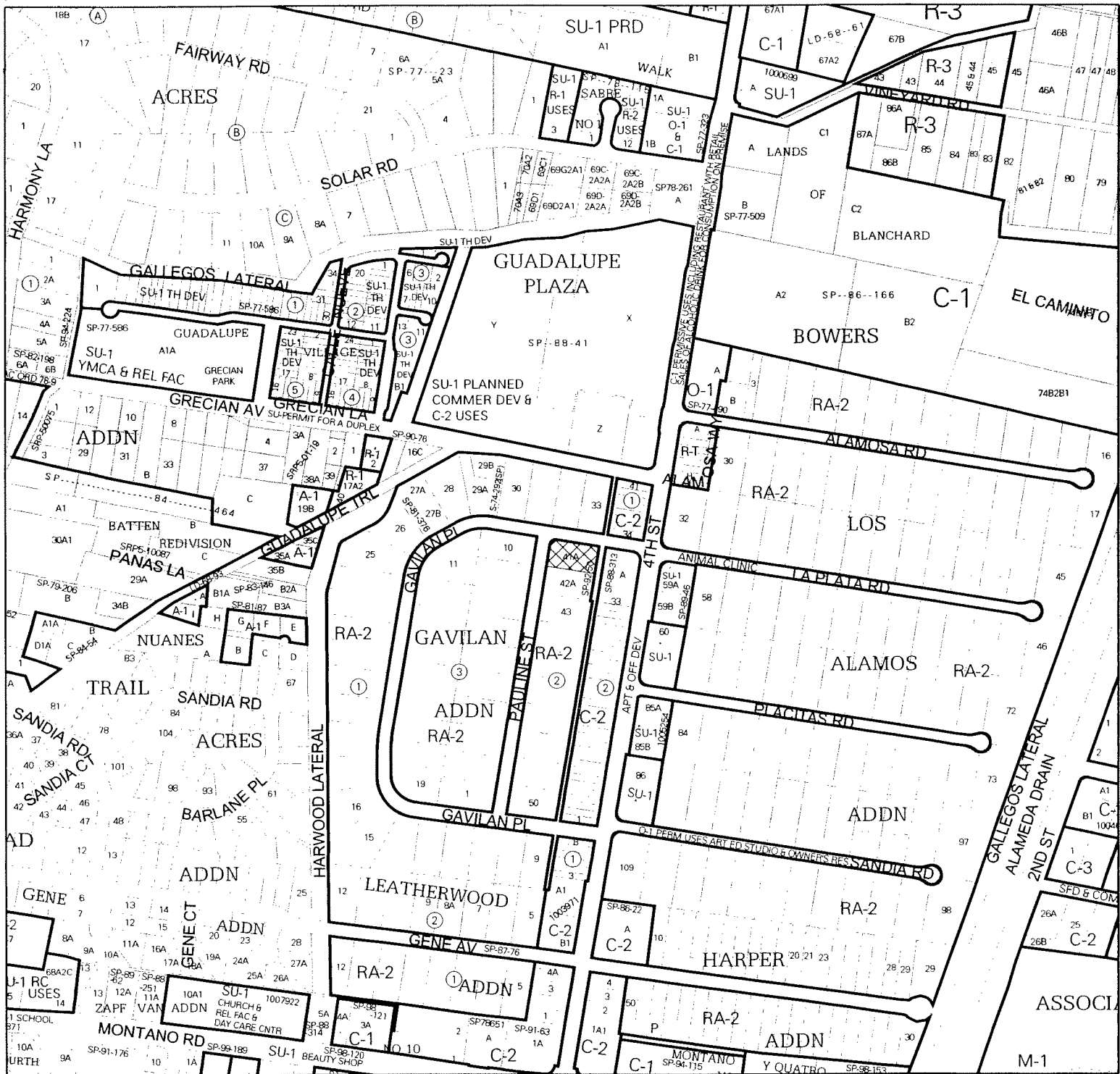


TEAT TAXES ARE CURRENT AND
44-6894-1017 1-10-61 96-446-109-18
RECORDED-
- RYAN CZAK



205) 25 / 4444





ZONING MAP

Note: Grey shading indicates County.

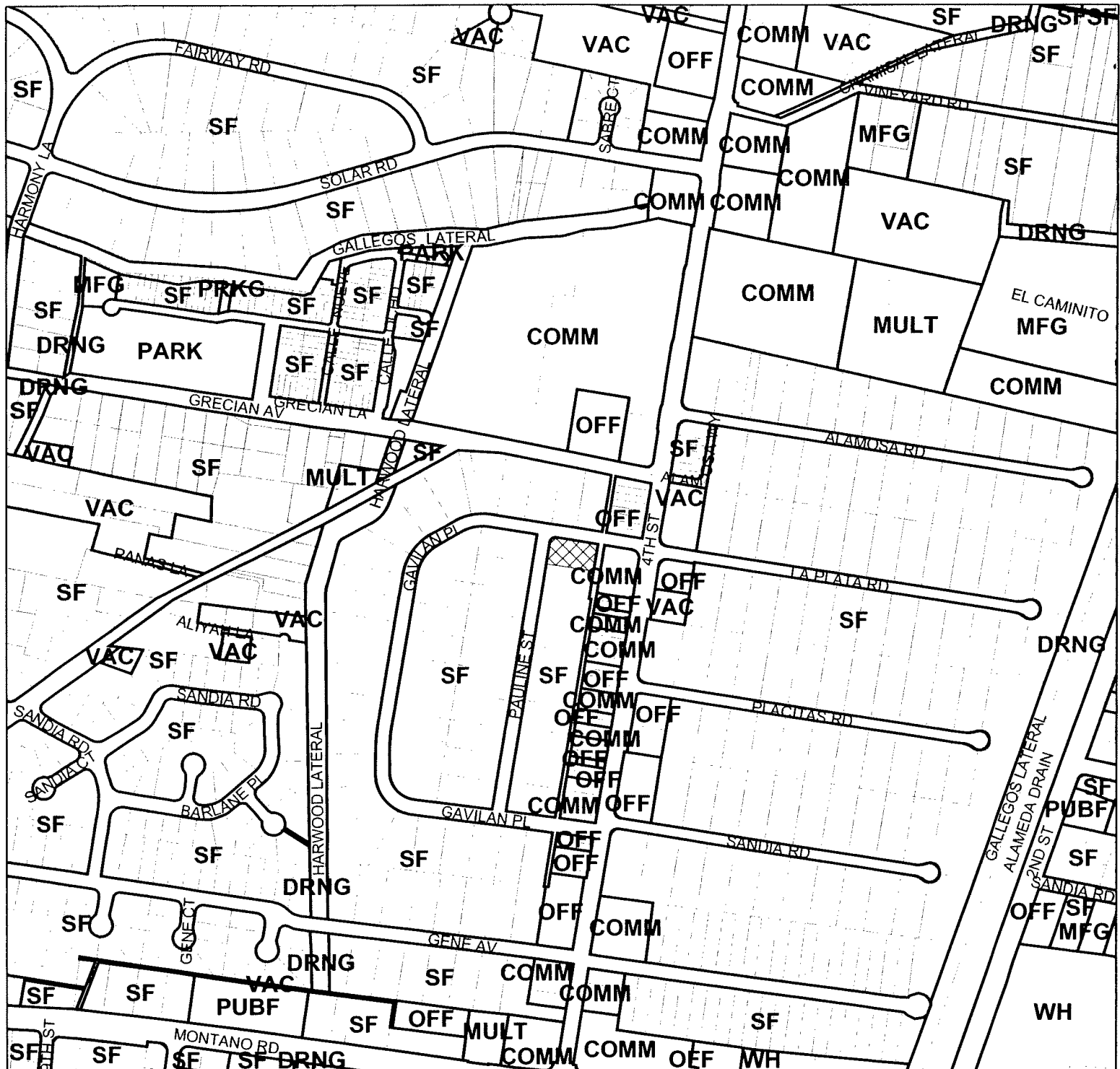


1 inch = 500 feet

Project Number:
1008254

Hearing Date:
05/13/2010

Zone Map Page: F-14
Additional Case Numbers:
10EPC-40014



LAND USE MAP

Note: Grey shading
indicates County.

KEY to Land Use Abbreviations

AGRI Agricultural
COMM Commercial - Retail
DRNG Drainage
MFG Manufacturing or Mining
MULT Multi-Family or Group Home
OFF Office
PARK Park, Recreation, or Open Space
PRKG Parking
PUBF Public Facility
SF Single Family
TRAN Transportation Facility
VAC Vacant Land or Abandoned Buildings
WH Warehousing & Storage



1 inch = 500 feet

Project Number:
1008254

Hearing Date:
05/13/2010

Zone Map Page: F-14
Additional Case Numbers:
10EPC-40014



HISTORY MAP

Note: Grey shading
indicates County.



1 inch = 500 feet

Project Number:

1008254

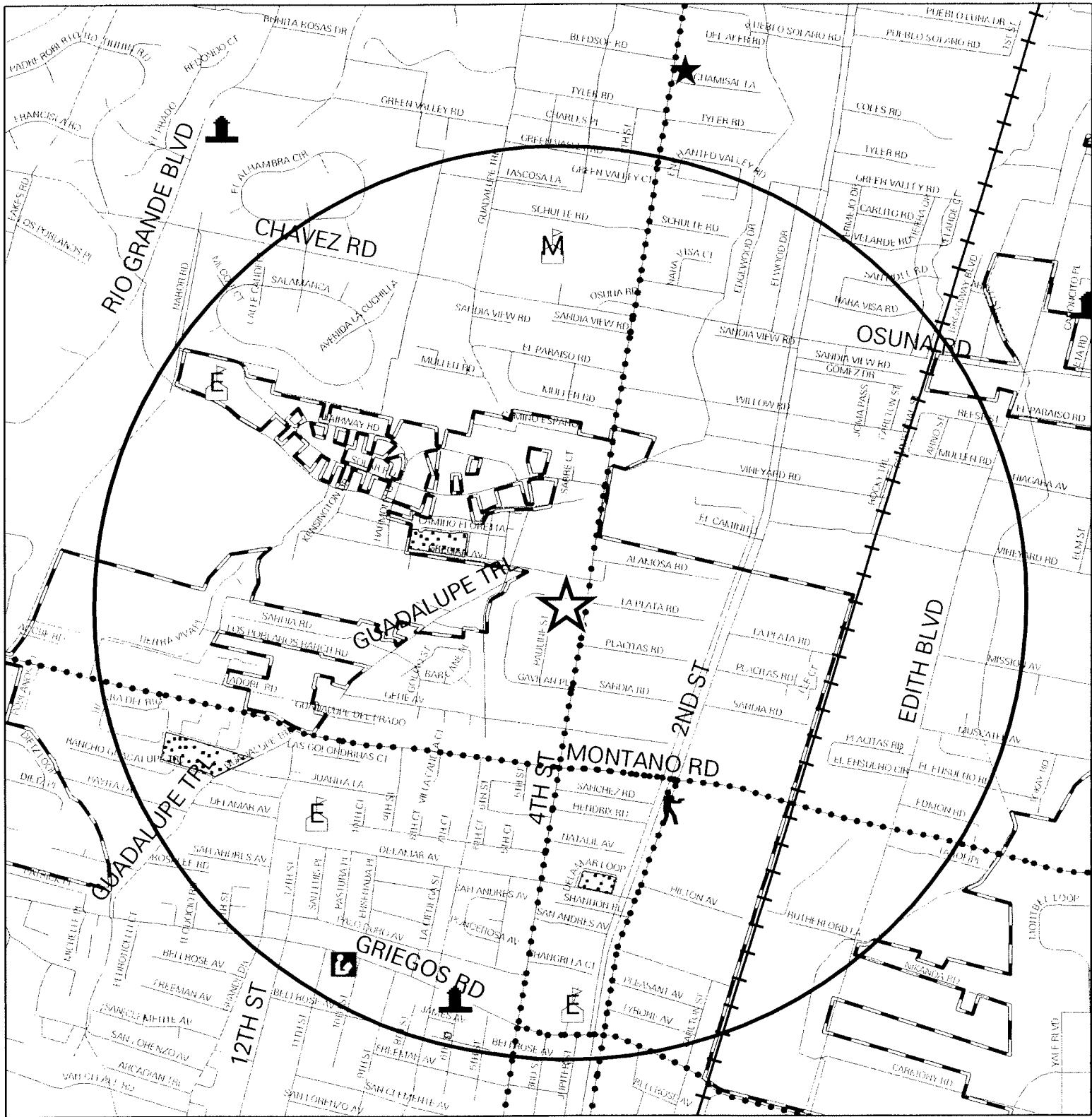
Hearing Date:

05/13/2010

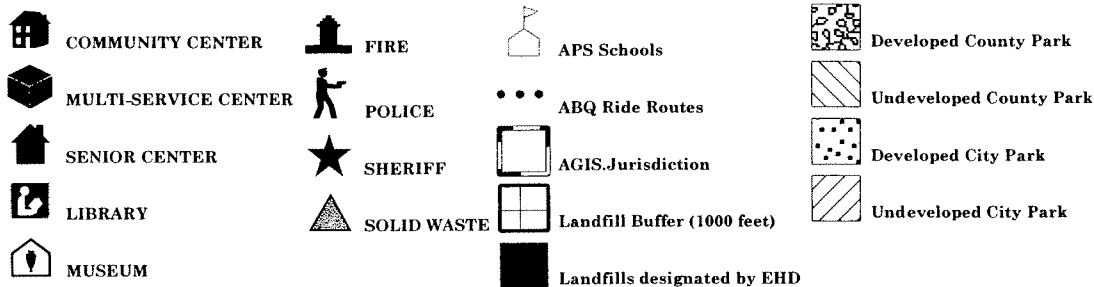
Zone Map Page: F-14

Additional Case Numbers:

10EPC-40014



Public Facilities Map with One-Mile Site Buffer



Project Number: 1008254

0 0.5 1 Miles